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SPEECH

Of Col. W. R. HILL, on the annexation of Texas, delivered at Canton, Mi., on the 4th of July, 1844. Published by request of the Texas Association.

FELLOW-CITIZENS:—An association has been recently formed in this County, to promote the annexation of Texas to the United States at as early a period as practicable. In furtherance of this object the association resolved to celebrate the anniversary of American Independence; and they deemed it no desecration of the day, that they should avail themselves of the occasion to present to their fellow-citizens, facts and arguments, in favor of this great national measure. Events are commemorated for the purpose of enforcing and perpetuating the principles which gave them birth: in this view, and involving as the subject does, not only grave questions of national policy, but the great principles which sustain our own revolution, there seems a moral fitness and propriety in associating it with the commemoration of our independence. And whilst congratulating ourselves on the success of the great experiment—that man is capable of self government—whilst indulging in the glorious reminiscences of the past, and looking with exulting hope to the future, it is surely neither unbecoming nor improper, that we should extend our sympathies to a neighboring republic, now borne down with embarrassments produced by her struggle for national existence. Like our ancestors, the citizens of Texas have resisted tyranny—like them have fought the battles of liberty—like them have achieved their independence—like them have established a government on the broadest basis of freedom. And who that would cherish our principles and that rejoices in our institutions, would not desire to see them extended and perpetuated in the young and rising republic?

The Republic of Texas situated on our borders—abounding in all the elements of national wealth—inhabited by our kindred and countrymen—speaking our language—governed by laws like our own, and worshipping God after the forms of our own religion, now asks for admission into our political Union; and the great question presents itself for the consideration of the American people—ought she to be admitted? A question of equal if not greater magnitude than any which has been agitated since the revolution—involving in its results, the cause of humanity, of civilization, of religion. It is a great American question, rising above all the party issues of the day; affecting the destinies of our commonwealth for ages to come, and without exaggeration, influencing the fate of millions yet unborn. And when the party contests of the day, important as they certainly are, (if not forgotten) shall at most, occupy but a few pages in our country's history, this will be referred to, as the memorable epoch, when this rich empire was freely tendered to us—when by its acceptance, our country received a new impulse in her onward march in national greatness—or, by its rejection, when a foreign and rival power obtained a foothold on our borders and checked our career—when southern institutions were placed in jeopardy—when discontents between the different sections of our confederacy originated, which finally resulted in a dismemberment of our Union.

Regarding the question as one of such vast importance, so intimately identified with our own safety and the perpetuity of the Union, I disclaim on this occasion, all party considerations in its discussion. I stand here not as a partisan, but in the higher and prouder character of a citizen of this great commonwealth—one who glorying in the past history of his country and rejoicing in her present greatness,

desires the balance of political power between the different sections of our confederacy to be preserved, the hands of our Union to be strengthened, & those institutions which have contributed so largely to our prosperity, to be placed on a basis of permanent security. I implore my fellow-citizens to examine this question in the same spirit, that casting aside their prejudices they approach it as American citizens; that they give to it that grave consideration which its importance demands; that they view it not only as a great national question affecting the interests of the whole Union, but as one in which their dearest rights and privileges, and the high and sacred principles of liberty are involved.

For the better understanding of the views presented, I will give a brief sketch of Texan history.

In the year 1803, a treaty was concluded with France, by which the U. S. acquired the territory of Louisiana, and it is now universally conceded that the cession included Texas even as far as the Rio del Norte. By the third article of that treaty it is provided that "the inhabitants of the ceded territory shall be incorporated into the Union of the U. S., and admitted as soon as possible according to the principles of the federal constitution, to all the rights, advantages and immunities of citizens of the United States, and in the meantime shall be protected and maintained in the free enjoyment of their liberty, property and the religion which they profess."

In reference to the stipulations of this article, I would here remark once for all, that so far as Texas is concerned they remain yet to be fulfilled, and it may be asked with great force, if the citizens of that country have not the right to demand their performance, and if the United States are not bound in good faith, now that the opportunity presents itself, to comply with them, by the measure now under consideration.

Texas remained under the operations of this treaty until 1819, when the United States by treaty with Spain acquired Florida, and by establishing our boundary at the Sabine, ceded the country South of that river including the present limits of Texas to Spain. Mexico being at that time a province of Spain. This treaty, so far as it regarded the cession of Texas, was in direct conflict with the 3d article of the treaty of Louisiana. It was violently opposed in the House of Representatives of the United States, by one of the most distinguished statesmen of our day, on the ground "that it was prejudicial to the interests of the country," that the United States had a perfect title to the ceded territory, and that the executive without the consent of congress, had no constitutional right to make the cession. After this treaty, immigration to Texas, was invited by bounties of large tracts of wild lands to actual settlers, in consequence of which, citizens of the United States went thither in considerable numbers, carrying with them the principles of freedom in which they had been nurtured. In 1821, the province of Mexico, of which Texas constituted a department, revolted from the government of Spain and declared her independence; and in 1824, adopted a constitution and form of government under the title of "the United Mexican States." The constitution declared that their government was a confederacy of sovereign and independent States, (of which Texas was one,) having like our own system, a federal legislature and executive, for the regulation of foreign interests, leaving to the local legislatures of the several states the management of their internal policy. Under this system, Texas prospered. In 1835, Santa Anna, the present ruler of Mexico, by military force, usurped the government, and procured an act of the Federal Congress to be passed, abolishing the local legislatures, and establishing a supreme central government, of which he placed himself at the head. Texas never submitted to the new government. She resisted this invasion of her rights, and on the 23d of March, 1836, declared her separate independence. That declaration was, in a few weeks after, successfully maintained on the field of San Jacinto, the Mexican invading army utterly routed, their chief and the head of their government taken captive and restored to liberty, after a formal recognition by him of Texan independence, and under the pledge that this acknowledgment should in due form, be subsequently ratified by his government. With the exception of a few predatory incursions by the Mexicans, Texas has ever since remained in a state of peace, and her independence has been acknowledged by the U. S. and the principal powers of Europe. In 1837, after our acknowledgment of her independence, Texas applied for annexation to the United States; under circumstances then existing, the overture was declined. Although it is well understood that Texas never can be brought under the yoke of Mexico, and

Henry Clay.

that that power is wholly unable to subdue her, yet in her present condition—with an exhausted treasury, a depreciated currency, and considering her present resources an immense public debt (the price of her independence) crushing her energies, she finds herself unable without foreign aid, to stand alone as a separate sovereignty; and for the second time she asks the United States to take her under their protection and incorporate her into their political Union. She appeals to us her countrymen, and asks that our flag—the wings of the American Eagle may be spread over her; at the same time we are given to understand that if repulsed by us, she must needs seek refuge under the red cross of St. George: if we reject her she must seek support from that power that attempted to strangle our infant liberty in the cradle, from that same England that regards us as her most dreaded rival, and that hates us with an insatiable hatred.

I propose to consider, first the objections to immediate annexation. Secondly, its advantages in a national point of view, and lastly, to show the necessity, under existing circumstances, for the adoption of this measure.

The first and most prominent objection is, that by annexation without the consent of Mexico, we violate our treaty stipulations with her and subject ourselves to a war with that power.

It is confidently denied that any treaty stipulation would be violated. In no treaty with Mexico, have the United States guaranteed the integrity of the territory of the Mexican Empire, nor have we ever even recognized Texas as a part of, or subject to the present government of Mexico. It is insisted however, by the Mexican minister and others who concur in this view, that the first article of the treaty of 1832, would be violated. It is in these words: "There shall be a firm and inviolable and universal peace, and a true and sincere friendship between the United Mexican States and the United States of America, in all the extent of their possessions and territories, and between their people and citizens respectively, without distinction of persons or places." Unless it be assumed that the proposed measure is a declaration of war against Mexico, there is no pretence that the treaty is broken on our part. True the Mexican government has declared that it would regard such a measure as "equivalent to a declaration of war." That, however, does not affect the merits of the question. Mexico might with as much propriety, have considered our acknowledgment of Texan independence, or our treaty with Texas settling the boundaries between us, as 'equivalent to a declaration of war.' And yet it has never been insisted (except by the Mexican government) that either of these acts was a breach of the spirit or letter, of the treaty. The question is not whether Mexico may regard this measure as cause of war and act accordingly, but whether it is in truth just cause of war? Whilst acting clearly right, we are not to desist because another may insist that we are wrong. And whilst it is our duty to preserve good faith with all nations, and to avoid giving just cause of offence, we are not to refrain from the adoption of a measure in itself just and expedient, because another nation may take umbrage at us, or even declare war against us. That Mexico if left to her own counsels would not declare war against us, will scarce admit of a doubt. Such a war it declared would be more the subject of ridicule than dread. What she might do under the influence of other and transatlantic counsels is doubtful. Be this as it may, if this measure be just—demanded by a proper regard for the interests of the Union, and for the permanency of the Union itself, I hesitate not to say that the United States ought to adopt it, not only at the present time, but with more formidable powers than Mexico.

Would then, the proposed annexation afford just cause of war to Mexico? The answer to this question depends on the relative condition of Texas and Mexico. If indeed, Texas was originally a province of Mexico and rightfully owed her allegiance to that government as now constituted, if she is now merely in a state of revolt, and open flagrant war is now, and has been, continually waging between them—a war for conquest on the one side, and for national existence on the other, and the issue is still doubtful; under such circumstances it would be most atrocious and unjustifiable act on the part of this government, by compact with the rebel subjects of Mexico, to annex a portion of her empire to our own. But if on the other hand, Texas has achieved her independence—if there has been no war waged against her for years past with means adequate to her conquest or intended to effect that object—if she has been recognized as an independent sovereignty by the principal powers of the world—in short, if she be a free sovereign and independent state; as a necessary consequence and in the exercise of the highest attributes

of that sovereignty, she has the right to dispose of herself, and if she practically assert that right by annexing herself to this Union, Mexico would have no just cause of complaint against the United States.

A writer of the highest authority on the law of nations, says: "Every nation that governs itself, under what form soever, without dependence on any foreign power, is a sovereign State. To give a nation a right to figure in this grand society, it is sufficient if it be really sovereign and independent; that is, it must govern itself by its own authority and laws." [Vattel, book 1, page 55.] How stand the facts as applicable to these plain principles?—Ever since the memorable battle of St. Jacinto, with the exception of a few marauding incursions of Mexican troops, who "retreated more rapidly than they advanced," and except also the paper bulletins of the same power, Texas has remained at peace; "not a hostile foot resting within her territory," and no force meanwhile, fitted out or contemplated, sufficient for the conquest of the country. The United States and the principal powers of Europe have acknowledged her independence. We have entered into a treaty of boundaries with her, and England has formed with her a treaty of commerce. For eight years has she enjoyed this *de facto* independence, under a regularly organized government. If, under these circumstances, Texas may not enter into a political union with another power, how long, it may be asked, before she can acquire this right? Or can she never acquire it without the consent of Mexico? The last proposition is too absurd to require refutation. Spain refused to recognize the independence of Holland for more than seventy years, and yet all the nations of Europe, regardless of that fact, treated the revolted provinces as independent States. The only reasonable practicable rule in such cases, and that on which the nations of the civilized world have acted, is—that if the revolted colony or province have established a regular government, and so long maintained her independence as to demonstrate to a reasonable certainty that she can never be reconquered, and if, in addition, the parent State or power claiming her allegiance, have implicitly admitted her inability to reconquer by withdrawing her forces, or at most, waging only a predatory war—other nations may regard the revolted province as a free and independent State, for any and every purpose. On these principles the independence of Texas has been recognized and treaties formed with her. How can these treaties be valid consistently with the assumed rights of Mexico? If Mexico has the right to reclaim her revolted province, she has the same right to invalidate all these treaties. In both cases the right is without the practical means of enforcing it, and is therefore never regarded. A paper war of proclamations is entitled to no more respect than a paper blockade. And it is well settled that a declaration of the blockade of an enemy's port, without an adequate force to sustain it, is not to be regarded by neutrals; and that a vessel violating such blockade is not legally subject to condemnation. The cases are strictly analogous. The constructive war of Mexico against Texas; her ridiculously high-sounding bulletins without any force to sustain them, are no more—not half so much, entitled to the respect and consideration of neutral powers, as were the paper blockades of England and France during the long and desolating wars of continental Europe—acts which were subsequently admitted to be illegal, and reparation made for seizures under them.

These views are sustained by Mr. Webster, in his despatches, as Secretary of State, in 1842, to our minister in Mexico. He there says: "The battle of St. Jacinto, fought on the 21st April, 1836, achieved the independence of Texas. The war from that time was at an end." Again: "Texas has exhibited the same revolutionary character of independence as Mexico herself—practically free and independent, acknowledged as a political sovereign by the principal powers of the world, no hostile foot resting within her territory for six or seven years, and Mexico herself refraining, during all that period, from any further attempt to re-establish her authority." And still again—"The United States have regarded Texas an independent sovereignty as much as Mexico," and forcibly puts the question—"How long, let it be asked, in the judgment of Mexico herself, is the fact of actual independence to be held of no avail against an avowed purpose of future reconquest." [Niles' Register, 23d July, 1842.]

But we have still higher and more direct authority to cite against this Mexican objection to annexation. I refer to the negotiations of two former administrations of this Government with Mexico, to obtain a retrocession of this very territory. In these negotiations, and in their own official acts, it is to be found a practical refutation of this very argument now urged by two distinguished statesmen

most prominent in their opposition to annexation. During the administration of Mr. Adams, two several attempts were made in 1825 and 1827, by Mr. Clay, as Secretary of State, to obtain Texas from Mexico. And in the administration of General Jackson, in 1829, another effort was made with the same power by Mr. Van Buren, as his Secretary of State. During all this period, Mexico was engaged in a war with Spain for her independence. Not a mere constructive or paper war, but an actual war—war in all its horrors and realities. In 1825, Spain held possession of the castle of St. Juan de Uloa, commanding the harbor of Vera Cruz. In 1829, a formidable Spanish armament, consisting of thirteen ships of war and 5000 troops, was fitted out and sailed from the island of Cuba. This force invaded Mexico—the city of Tampico was taken—the commanding general, at the head of his victorious army, marched into the interior of the country, issuing his proclamation calling on the inhabitants to return to their allegiance. Five pitched battles were fought; and finally, in September of the same year, the entire Spanish army capitulated, and then the war ended. Spain, however, refused to acknowledge the independence of Mexico for seven years afterwards. Our Government was not ignorant of the preparation for this last effort on the part of Spain, to reconquer her revolted province. Notice of the fact was published in the Gazettes at Washington at the very time negotiations were opened. In none of these negotiations was the least intimation given to Spain of our intentions. We are lately informed by Mr. Alexander Everett, our then minister at the Court of Spain, "that during the whole of the time when these negotiations were going on between our Government and Mexico for the purchase of Texas, not a syllable of instruction was sent to him to consult or to conciliate the Spanish Government; and that during all that period Spain stoutly and uniformly maintained her complete right to reconquer her province of Mexico." [Note to Mr. Owen's speech.] If this pretended right of reconquest is so sacred that it may not be impugned without just cause of war, was it not much more worthy of respectful consideration in the case of Spain, who, at the various periods of these negotiations held fortified castles in the contested territory and was backing her pretensions with formidable demonstrations, than in the case of Mexico, whose principal war for years past, in the language of the Texan minister, has consisted of "taunts and threats, of braggadocio bulletins and gasconading proclamations."

The only justification for our Government in all these negotiations (and it is a complete one) is that Mexico had previously established her independence, and that Spanish pride prevented its recognition. True, the United States, in 1823, recognized the independence of Mexico. And it is just as true, that Texas has also established her independence, recognized by us also, and that Mexican obstinacy prevents its recognition. I confidently assert that the most ingenious sophistry cannot present the slightest difference in principle between these cases. And these precedents, occurring at times when the question did not in the slightest degree partake of a party character, afford the fullest and most complete justification for this government in concluding the late treaty of annexation without the consent of Mexico.

The merits of this objection to annexation may be tested by a simple inquiry. In whom does the right to dispose of Texas rest? In Texas or Mexico? Incontestably it belongs to either one or the other. Will any one who admits the right of revolution, be so bold as to assert that the right of cession of this territory still exists in Mexico?

There is another view of this subject which would, under any circumstances, dispense with the consent of Mexico to the proposed measure. Texas was a sovereign and independent State of the Mexican Confederacy of 1821. When the Confederate Government was overthrown, Texas refused to submit to the new government, and consequently, never owed it her allegiance. The present government of Mexico has therefore no more constitutional or moral right to exact submission from Texas than from Louisiana.

There is not the remotest probability that Texas can be brought under Mexican rule. In all the violent and fanatical opposition to annexation no assertion to this effect has been made. And in the face of the acknowledged facts that Texas is a free, sovereign, and independent State, and ever will maintain her independence of Mexico—that Mexico has not the right to dispose of the territory of Texas—we are gravely and solemnly warned, that by concluding a treaty with Texas annexing her to this Union, we furnish just cause of war to Mexico.

"The earth hath bubbles, as the water has, And this is of them."

Fellow-citizens: In the glorious document which has just been read to you, the

great truths are announced, "that governments derive their just power from the consent of the governed; that whenever any form of government becomes destructive of the ends for which it was instituted, it is the right of the people to abolish it, and to institute a new government, &c." On these great fundamental principles rests the fabric of our liberty, and on the same imperishable basis the people of Texas have erected their Republic. Are these principles now to be regarded as idle abstractions, unfit for practical illustration? So thought not the men of '76. They toiled through a seven years war in support of these very doctrines which you are, in effect, now asked to repudiate by denying to Texas—revolutionized and independent Texas, the right to form a political union with another power. And towards whom is this excessive courtesy, this extraordinary forbearance, to be displayed? Nominally a Republic, Mexico is really governed by a despot as absolute as the autocrat of Russia. His will is the supreme law. "He is the State." And, oh! tell it not, for shame, that we, republicans of the land of Washington, may not uphold and sustain a sister Republic, bowed down and sinking from exhaustion; may not carry out the principles avowed in our own declaration of independence, lest we offend the most pusillanimous and perfidious despot that has disgraced modern history. If, indeed, Texas is to be repulsed by her republican brethren, in all her efforts for admission into our political union, I trust, for the honor of the American name, that our rejection may not rest on the anti-republican and anti-American ground, that Texas has not the right to cede her territory and transfer her allegiance.

Another objection to annexation is, that our Union would thereby become too unwieldy—that there would be danger of its falling to pieces by its own weight, or of dismemberment from a contrariety of interests. A distinguished statesman, in a speech in the House of Representatives of the United States, in 1820, in opposition to the treaty ceding this very territory, has so well answered this objection that I will employ his own language: "I know, (said he) that there are honest and enlightened men who fear that our confederacy is already too large, and that there is danger of disruption, arising out of want of reciprocal adherence between its several parts. I hope and believe that the principle of representation, and the formation of States, will preserve us a united people." [Life and Speeches of Henry Clay.]

The same objection was urged against the acquisition of Louisiana. Experience has shown its fallacy, and proved that under our complex representative system, every increase to the number of our political family consolidates our Union, gives strength to our institutions at home, and increases our respectability abroad. Besides, the application of steam power, the construction of rail roads, and I may now add, the invention of the magnetic telegraph, have almost annihilated time and space, and brought all the parts of this great empire into close proximity.

I need not dwell on the objection that our government has no constitutional power to acquire foreign territory, or to admit foreign States into our Union. It is but feebly and incidentally urged. I may, however, remark, that the express grant of power in the constitution, "that Congress may admit new States," is without limitation; and the debates and propositions in the convention which framed the constitution, serve to show that the addition of foreign territory and foreign States, was in the contemplation of its framers. And the practice of the government since, in the purchase of Louisiana and Florida, and in the recent adjustment of the northern boundary, sanctions this view, and places this point beyond doubt.

Having considered the objections to annexation, I proceed to offer some remarks on its importance in a national view.

The Republic of Texas contains territory sufficient to form at least five States of the size of our own. Situated on Southern and Western border, it extends along our boundary several hundred miles upon our actual settlements, and several hundred further on the boundary of our unsettled territory. The Red and Arkansas rivers, after traversing her territory for several hundred miles, through a region abounding in the sources of mineral and agricultural wealth, fall into our own Mississippi. She commands a large extent of the coast of the Gulf of Mexico, reaching almost to the mouth of our great river. Her climate is said to be pure and healthy, mild and delicious, as that of Italy. Her soil surpasses our own in fertility, producing in great abundance, besides our own great staple, indigo, rice, sugar, tobacco, and nearly all the fruits of the tropics. Separated only by a river and an imaginary line, producing the same staples, having the same rivers all flowing into the same Gulf, nature has thus plainly indicated, that these countries should be united under one government and inhabited by one